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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

097150.947 09710798 KAEMPFER R A31967-PCT-U

HM11/0831

EXAMINER

1645

BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK NY 10112-0228

NAVARRU, A

ART UNIT

PAPER NUMBER

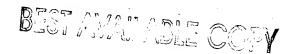
DATE MAILED:

08/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

THE REQUEST FOR SUSPENSION OF ACTION UNDER 37 CFR 1.103 HAS BEEN APPROVED. THE SUSPENSION OF ACTION WILL TERMINATE 03 MONTHS AFTER DATE THE REQUEST FOR SUSPENSION OF ACTION WAS FILED.







CONTINUED PROSECUTION APPLICATION (CPA) **REQUEST TRANSMITTAL**

(Only for Continuation or Divisional applications under 37 CFR 1.53(d)

Attorney Docket No. A31967-PCT-USA-A/ 066031.0102

First Named Inventor Kaempfer et al.

Express Mail Label No. EF839853372US

Total Pages 12

August 20, 2001

BY EXPRESS MAIL: EF839853372US

Assistant Commissioner for Patents Box CPA Washington, DC 20231

Sir:

This is a request for the filing of a

Continued prosecution application (CPA) of prior application No. 09/150,947 filed on [X] September 10, 1998, entitled "BROAD SPECTRUM PYROGENIC EXOTOXIN ANTAGONISTS AND VACCINES"

The term for response or taking action in the prior application expires on August 20, 2001 after a two-month extension of time (the Final Official Action is dated March 20, 2001, so the due date was June 20, 2001).

[X]	An extension of time for response in the prior application is: [X] filed concurrently herewith. [] has been filed on
[]	Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
[X]	A preliminary amendment is enclosed.
[]	This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
NY0	2:343006.1



- DELETE the following inventor(s) named in the prior nonprovisional application:
- [] The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- [] A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- [] Information Disclosure Statement (IDS) is enclosed.
 - [] PTO-1449
 - [] Copies of IDS Citations

Small entity status:

- A small entity statement is enclosed.
- [X] A small entity statement was filed in the prior nonprovisional application and such status is still and proper desired.
- [] is no longer claimed.

The filing fee has been calculated as shown below:

FOR	(Col. 1) No.Filed		(Col.2) *No.Extra	Small Entity Rate Fee		OR	Other Than A Small Entity Rate Fee	
Basic Fee					\$355			\$710
Total Claims	34	-20=	14	x \$9=	\$126		x \$ 18 =	\$
Ind. Claims	14	-3 =	11	x \$40 =	\$440		x \$ 80 =	\$
Multiple Dependent Claim				+ \$135 =	\$		+\$270=	\$
				Total	\$921			\$

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Calculation of extension fee (37 CFR 1.17(1)-(5)):

	Extension	Fee for other	Fee for	
	(months)	than small entity	Small Entity	
[]	One month	\$110.00	\$ 55.00	
[X]	Two months	\$390.00	\$195.00	\$195
[]	Three months	\$890.00	\$445.00	
ΪÌ	Four months	\$1,390.00	\$695.00	
ij	Five months	\$1,890.00	\$945.00	

Fee <u>\$195.00</u>



9	Attorney	Docket No. A31967 PCT USA-A 066031 AT 02				
[X]	If an additional extension of time is (check and complete the next item,	required, please consider this a petition therefore if applicable)				
		has already been secured and the fee paid thereform the total fee due for the total months of				
	Extension fee due with this request	\$ <u>195</u>				
[X]	Applicant requests suspension of action under 37 CFR 1.103(b) for a period of <u>3</u> months and the fee under 37 CFR 1.17(i) is included with this request of <u>\$ 130.00</u>					
•	Fee Payment Being Made: [X] Enclosed					
	[X] Basic filing fee	\$921.00				
	Extension of Time Fee	\$195.00				
	Suspension of Action Fee	\$130.00				
	Total Fees Enclosed	<u>\$1246.00</u>				
	[X] A check in the amount of \$1246.00 is enclosed. [] Other					

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Rochelle K. Seide

Patent Office Reg. No. 32,300

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